

CHAPTER 32

RULES OF PROFESSIONAL CONDUCT

Rule 32:1.12: FORMER JUDGE, ARBITRATOR, MEDIATOR, OR OTHER THIRD-PARTY NEUTRAL

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Comment

[1] This rule generally parallels rule 32:1.11. The term “personally and substantially” signifies that a judge who was a member of a multimember court, and thereafter left judicial office to practice law, is not prohibited from representing a client in a matter pending in the court, but in which the former judge did not participate. So also the fact that a former judge exercised administrative responsibility in a court does not prevent the former judge from acting as a lawyer in a matter where the judge had previously exercised remote or incidental administrative responsibility that did not affect the merits. Compare the comment to rule 32:1.11. The term “adjudicative officer” includes such officials as judges pro tempore, referees, special masters, hearing officers, and other parajudicial officers, and also lawyers who serve as part-time judges. ~~Compliance Canons A(2) and C~~ Application section III(B) of the Iowa Code of Judicial Conduct provides that a magistrate or other continuing part-time judge or retired judge recalled to active service “shall not act as a lawyer in a proceeding in which the judge has served as a judge or in any other proceeding related thereto.” practice law in the court on which the judge serves.” Although phrased differently from this rule, that ~~those~~ rules corresponds in meaning.

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